

J07-166804M/AIO
NGB.359

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In re Application of:

Ando, et al.

Serial No.: 10/776,348

Group Art Unit: 3748

Filed: February 12, 2004

Examiner: Thai Ba Trieu

For: VARIABLE NOZZLE CONTROL APPARATUS OF TURBOCHARGER

Honorable Commissioner of Patents
Alexandria, VA 22313-1450

ATTENTION: FINANCE DIVISION

Sir:


REQUEST FOR REFUND

A charge of \$180.00 was erroneously deducted for fee code 1806, Submission of IDS, from our Deposit Account 50-0481 on June 1, 2005.

Our records show that we filed an IDS on April 27, 2005 with certification, and that no charge was necessary because the IDS was filed before a final Office Action or Notice of Allowance. Therefore, the \$180.00 was charged in error and should be refunded.

Therefore, Applicant respectfully requests that the \$180.00 fee be refunded to Attorney's Deposit Account No. 50-0481. Please credit any overpayment of fees to Attorney's Deposit Account number 50-0481.

Respectfully Submitted,


Sean M. McGinn, Esq.
Reg. No. 34,386

Date:

9/29/05

**MCGINN INTELLECTUAL PROPERTY
LAW GROUP, PLLC**

8321 Old Courthouse Road, Suite 200
Vienna, Virginia 22182-3817
(703) 761-4100
Customer No. 21254



UNITED STATES PATENT AND TRADEMARK OFFICE

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MONTHLY STATEMENT
OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

MCGINN & GIBB, PC
SEAN M MCGINN
8321 OLD COURTHOUSE RD.
SUITE 200
VIENNA VA 22182-3817

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JUL 20 2005

McGINN & GIBB, P.C.

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Account No.	500481
Date	6-30-05
Page	1

PLEASE SEND REMITTANCES TO:
U. S. Patent and Trademark Office
P.O. Box 70541
Chicago, IL 60673

FEE CODE 1806 - Submission of IDS

DATE POSTED	CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
6 1 05	5	10776348		1806	180.00	792.00
6 1 05	134	10652513	106-359J07-166804A/A10			
6 1 05	213	29230834	T36-158818M/KOH	1251	120.00	672.00
6 1 05	214	29230834		1012	200.00	472.00
6 1 05	215	29230834		1112	100.00	372.00
6 1 05	231	1932209		1312	130.00	242.00
6 1 05	232	1959230	GIF.005	8521	40.00	202.00
6 1 05	233	2050505	GIF.005	8522	25.00	177.00
6 1 05	234	2051384	GIF.005	8522	25.00	152.00
6 1 05	235	2134764	GIF.005	8522	25.00	127.00
6 1 05	245	5321800	GIF.005	8522	25.00	102.00
6 1 05	246	6741264	GIF.007	8021	40.00	62.00
6 8 05	1	09768466	GIF.007	8021	40.00	22.00
6 8 05	2	09768466	FF-0131US	1202	162.00	140.0000
6 8 05	16	E-REPLENISHMENT	FF-0131US	1201	172.00	312.0000
6 9 05	71	10470053		9203	-10000.00	9688.00
6 10 05	4	10516244	030013	1251	120.00	9568.00
6 10 05	6	10516244		9204	-130.00	9698.00
6 10 05	29	10256237		9204	-54.00	9752.00
6 10 05	104	10451829	K06-149231M/	1201	-88.00	9840.00
6 10 05	309	11148182	PSYF-01205 US	1201	400.00	9440.00
6 10 05	310	11148182	05-38 PUS	1011	300.00	9140.00
6 10 05	311	11148182	05-38 PUS	1111	500.00	8640.00
6 21 05	1	10231175	05-38 PUS	1311	200.00	8440.00
6 21 05	2	10231175	02USFP789-MK	1253	-1020.00	9460.00
6 23 05	77	10052347	02USFP789-MK	1252	450.00	9010.00
6 24 05	13	10790055	P 282475	1814	130.00	8880.00
6 24 05	26	10522687	DEC.047A	2202	200.00	8680.00
6 27 05	17	10518917		9204	-100.00	8780.00
6 27 05	18	10518917		9204	-500.00	9280.00
6 27 05	39	10519160		1642	400.00	8880.00
6 28 05	1299	78659557		9204	-100.00	8980.00
6 29 05	8	76641482	PLA.001	7001	650.00	8330.00
6 29 05	12	76641483	EDU.019	6001	40.00	8290.00
6 30 05	17	11063747	EDU.020	6001	40.00	8250.00
6 30 05	284	10522687	F04-393-US	8021	40.00	8210.00
			US01-05002PCT	8021	40.00	8170.00

AN AMOUNT SUFFICIENT TO
COVER ALL SERVICES REQUESTED
MUST ALWAYS BE ON DEPOSIT

OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE
972.00	4794.00	11992.00	8170.00

205 (8/2004)

LAW OFFICES OF
McGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC

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PATENTS, TRADEMARKS, COPYRIGHTS, AND INTELLECTUAL PROPERTY LAW
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SENDER'S E-MAIL: SMCINN @ MCGINNIPLAW.COM

2005 SEP 30 10:24

US PATENT & TRADEMARK
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SCOTT M. TULINO
J. BRADLEY WRIGHT†
†MEMBER OF BAR OTHER THAN VA

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September 29, 2005

VIA FACSIMILE

To: Mai
Deposit Accounts
U.S.P.T.O.

Facsimile No.: (571) 273-6500

From: Sean M. McGinn

Facsimile No.: (703) 761-2375

Re: June 30, 2005 Deposit Account Statement
U.S. Patent Application No.: 10/776,348
Our Ref.: NGB.359

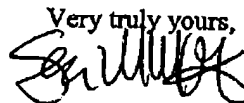
Dear Mai:

A charge of \$180.00 was erroneously deducted for fee code 1806, Submission of IDS, from our Deposit Account 50-0481 on June 1, 2005.

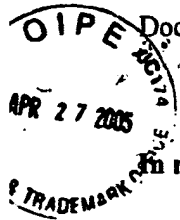
Our records show that we filed an IDS on April 27, 2005 with certification, and that no charge was necessary because the IDS was filed before a final Office Action or Notice of Allowance. Therefore, the \$180.00 was charged in error and should be refunded.

For your convenience, enclosed is a copy of the June 30, 2005, Monthly Statement of Deposit Account.

Thank you in advance for your consideration on this case.

Very truly yours,

Sean M. McGinn

SMM/yr
Enclosures



STW

In re Application of

Ando, et al.

Serial No.: 10/776,348 Group Art Unit: 3748

Filed: February 12, 2004 Examiner: Thai Ba Trieu

For: VARIABLE NOZZLE CONTROL APPARATUS OF TURBOCHARGER

Honorable Commissioner of Patents
Alexandria, VA 22313 - 1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Under the provisions of 37 CFR §1.97 through §1.99 and pursuant to applicants' duty of disclosure under 37 CFR §1.56, applicants respectfully bring the following documents listed on the attached from PTO-1449, to the attention of the Examiner in charge of the above-identified application. These references were cited by the Examiner in a counterpart co-pending Application No. 10/875,825, in an Office Action dated January 27, 2005. Copies of the listed documents are provided herewith for the convenience of the Examiner.

This citation does not constitute an admission that the references are relevant or material to the claim. They are only cited as constituting related art of which the applicants are aware.

I hereby certify that no item of information contained in the information disclosure statement was cited in a communication from the United States Patent Office in U.S. Patent Application Serial No. 10/875,825, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

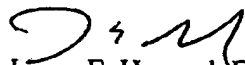
It is respectfully requested that the listed references be considered by the Examiner and formally made of record in this application.

Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0481.

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Adjustment Date: 11/17/2005 SDIRETA1
06/01/2005 DBREWER 00000005 500481 10776348
01 FC:1806 180.00 CR

Respectfully submitted,


James E. Howard, Esq.
Registration No. 39,715

Date: 4/12/05
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